

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 JAMES HEALY, on behalf of himself and all
11 others similarly situated,

12 Plaintiff,

13 v.

14 MILLIMAN, INC., d/b/a INTELLISCRIP,
15

Defendant.

CASE NO. C20-1473-JCC

ORDER

16 This matter comes before the Court on Plaintiff's motion for reconsideration (Dkt. No.
17 219) of the Court's order granting in part Defendant's motion for partial summary judgment
18 and/or for decertification (Dkt. No. 216). In the instant motion, Plaintiff asks the Court to clarify
19 whether its dismissal of the inaccuracy class "for lack of class-wide standing," (Dkt. No. 216 at
20 6), is pursuant to Rule 56 or Rule 23. (*See* Dkt. No. 219 at 4–9.) And to the extent the ruling is
21 pursuant to Rule 56, Plaintiff asks the Court to certify the matter for interlocutory appeal
22 pursuant to 28 U.S.C. § 1292(b). (*Id.* at 8–9.) The Court so CLARIFIES: its dismissal of the
23 inaccuracy class is pursuant to Rule 56. Further, this is a dismissal *without* prejudice. And for the
24 reasons described in Plaintiff's motion for reconsideration, (*see id.* at 9), the Court CERTIFIES
25 that an interlocutory appeal of this issue is appropriate under 28 U.S.C. § 1292(b).

26 In addition, the parties move to seal certain submissions by Plaintiff associated with its

1 motion for reconsideration (Dkt. No. 221). The Court finds that compelling reasons exist to
2 maintain those documents under seal. Accordingly, the motion to seal is GRANTED. The Clerk
3 is DIRECTED to maintain docket numbers 222 and 225 under seal.

4 DATED this 9th day of April 2024.

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8 John C. Coughenour
9 UNITED STATES DISTRICT JUDGE

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